

Application No. 10/081,118

DEC 18 2006

Docket No.: 22321-00002-US1

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application.

Claims 1 and 2. (Canceled)

3. (Previously presented) The reagent according to claim 20, wherein the detergent is selected from the group consisting of:

- primary amines, amine acetates and hydrochlorides, quaternary ammonium salts, and trimethylethyl ammonium bromide;
- amides of substituted diamines, diethanolamino-propylamine or diethylaminopropylamide, amides of cyclised diethylenetriamine;
- alkylaryl sulfonates, petroleum sulfonates, sulfonated glycerides;
- cholamides, sulfobetaines;
- alkyl glycosides, saponins;
- polyoxyethylene ethers and sorbitans, and polyglycol ethers.

4. (Previously presented) The reagent according to claim 20, wherein the stain is a fluorescent type stain.

5. (Previously Presented) The reagent according to claim 20, wherein the stain is capable of binding to intracellular ribonucleic acid of said unlysed remaining cells to enhance a fluorescent signal from said stain bound to intracellular ribonucleic acid of said unlysed remaining cells.

6. (Previously presented) The reagent according to claim 20, wherein the stain is selected from the group consisting of:

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- thiazole orange or 1-methyl-4-[(3-methyl-2-(3H)-benzothiazolylidene)methyl]quinolinium p- tosylate,
- thiazole blue,
- 4-[(3-methyl-2-(3H)-benzothiazolyl-idene)methyl]-1-[3-(trimethylammonium)propyl]quinolinium diiodide,
- 3,3'-dimethyloxacarbocyanine iodide or 3-methyl-2-[3-(3-methyl-2(3H)-benzothiazolylidene-1-propenyl]benzoxazolium iodide,
- thioflavine T,
- the stains SYTO® and TOTO® (TM Molecular Probes),
- ethidium bromide,
- propidium iodide,
- acridine orange,
- coriphosphine O,
- auramine O,
- the stains HOECHST 33258 and HOECHST 33342,
- 4',6-diamino-2-phenylindole dihydrochloride (DAPI),
- 4',6-diimidazolin-2-yl)-2-phenylindole dihydrochloride (DIP1),
- 7-aminoactinomycin D,
- actinomycin D, and
- LDS 751.

7. (Canceled)

8. (Canceled)

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9. (Previously presented) The reagent according to claim 20, which further comprises at least one membrane fixing agent present in a concentration of 0.1% to 10% (w/v).
10. (Previously presented) The reagent according to claim 9, wherein the membrane fixing agent comprises at least one alcohol or at least one aldehyde selected from the group consisting of paraformaldehyde and glutaraldehyde, or a mixture of at least one said alcohol and at least one said aldehyde.
11. (Previously presented) The reagent according to claim 20, which also comprises at least one compound selected from the group consisting of a complexing agent, an inorganic salt and a buffer system.
- Claims 12-18. (Canceled)
19. (Currently amended) A reagent for identifying and counting nucleated blood cells in a sample having erythrocytes, comprising: a cell lysing agent for simultaneous lysis of erythrocytes, fixing of nucleate cells, and staining of intracellular material, consisting essentially of a solution having at least one non-ionic detergent in a concentration sufficient to lyse specifically erythrocytes, an ionophore, and a stain capable of marking the nucleic acids of unlysed remaining nucleated cells.
20. (Currently amended) A reagent for identifying and counting blood cells having nucleic acid in a sample having erythrocytes, comprising: a cell lysing agent for simultaneous lysis of erythrocytes, fixing of nucleate cells, and staining of intracellular material, consisting essentially of a solution having at least one ionic and/or non-ionic detergent in a concentration sufficient to lyse specifically erythrocytes, an ionophore, and a stain capable of marking the nucleic acids of unlysed remaining cells.
21. (Previously presented) The reagent according to claim 20 wherein the ionophore is of the antibiotic type.

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22. (Previously Presented) The reagent according to claim 20, wherein the non-ionic detergent in a concentration sufficient to lyse specifically erythrocytes, is a mixture of saponins and at least one other non-ionic detergent.
23. (Currently amended) The reagent according to claim ~~22~~20, which further comprises at least one membrane fixing agent present in a concentration of 0.1% to 10% (w/v).
24. (Previously Presented) The reagent according to claim 23, wherein the membrane fixing agent comprises at least one alcohol or at least one aldehyde selected from the group consisting of paraformaldehyde and glutaraldehyde, or a mixture of said at least one alcohol and said at least one aldehyde.
25. (Previously Presented) The reagent according to claim 24, wherein the membrane fixing agent is glutaraldehyde.